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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WRITER'S DIRECT NO.

(202) 828-0155

September 7, 2000

BY HAND

Ms. Magalie Roman Salas
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Written Ex Parte Presentation
CC Docket No. 94-102 /

Dear Ms. Salas:

On behalf of my client QUALCOMM Incorporated ("QUALCOMM"), this is to submit additional information in the above-referenced proceeding to show that: 1) there is no basis for the Commission to grant a waiver of the E9-1-1 accuracy rules to VoiceStream Wireless ("VoiceStream") because VoiceStream, a GSM carrier, has reasonable alternatives to a waiver; and, 2) QUALCOMM is ahead of schedule in delivering chipsets to handset manufacturers containing wireless assisted GPS capability that meets or exceeds the FCC's accuracy rules, and as QUALCOMM has already shown, a major Japanese carrier, the DDI Cellular Group, will begin deploying handsets containing QUALCOMM's chips in the Spring of 2001.

First, with respect to the reasonable alternatives to a waiver available to VoiceStream, attached is a press release dated October 11, 1999 issued by Ericsson announcing the sale of Ericsson's new Mobile Positioning System to Eesti Mobiltelefon AS, a GSM carrier operating in the 900 and 1800 MHz bands based in Europe. According to Ericsson's release, Ericsson's Mobile Positioning System is a network solution requiring no modifications to standard GSM phones or terminals and works with all existing GSM phones and any standard GSM network. Ericsson states that its system "offers the highest positioning accuracy available on the market" and "is especially attractive to GSM operators as they can easily reach 100% of their market and users."

VoiceStream has not shown that this alternative is unavailable or is unreasonable in any cognizable way, just as VoiceStream has not shown that the uplink Time of Arrival ("TOA")

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marketed by Omnipoint Technologies is unavailable or is unreasonable in some cognizable manner. VoiceStream has chosen, for its own reasons, not to pursue deployment of compliant technologies, but VoiceStream's choice not to comply leaves the Commission with no legal basis for granting VoiceStream a waiver. Under the Commission's rules, 47 C.F.R. §1.925 (b)(3)), the Commission cannot grant a waiver to VoiceStream because it is clear that VoiceStream has reasonable alternatives to a waiver.

Moreover, on this record, VoiceStream has not made any showing that it has made any reasonable effort to comply with the Commission's accuracy rules. There is no evidence that VoiceStream has tried seriously to comply, much less any evidence as to whether VoiceStream could come into compliance with a reasonable effort on its part or what the impact would be on vendors if VoiceStream insisted on a compliant solution within the required time frame, or had seriously addressed the existence of a compliant solution in a timely manner. At this juncture, before VoiceStream has made such a showing, there is no basis to grant it a waiver.

Second, as for QUALCOMM's wireless assisted GPS technology ("gpsOne"), attached is a press release issued by QUALCOMM on August 16, 2000 announcing that QUALCOMM had begun shipping to handset manufacturers its MSM3300 chipset samples and system software containing wireless assisted GPS, ahead of schedule. Among the carriers that will deploy phones containing the QUALCOMM chipsets is the DDI Cellular Group, a major Japanese carrier. Attached is a June 27, 2000 article filed previously by QUALCOMM stating that the DDI Group is planning on launching phones with gpsOne capability in the Spring of 2001. Thus, QUALCOMM, which has shipped a total of over 100 million CDMA chipsets, has fulfilled and continues to fulfill its commitment to deliver rapidly, on time or ahead of time, chipsets containing a compliant handset solution that will provide the protection for the public that public safety forces require and that the Commission has found to be in the public interest.

Once again, QUALCOMM urges the Commission to deny, as a matter of law, VoiceStream's waiver request at this time and to encourage carriers to comply with the Commission's rules rather than to seek waivers to get around them.

Sincerely yours,



Dean R. Brenner
Attorney for QUALCOMM Incorporated

cc: Chairman William E. Kennard
Commissioner Susan Ness
Commissioner Gloria Tristani
Commissioner Michael Powell
Commissioner Harold Furchtgott-Roth

Thomas Sugrue, Esq.
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Ericsson Press Releases

Estonian operator to launch world's first Network-based location services - First sale of new Ericsson system

Date: Monday, October 11 1999

Ericsson has won an order from Estonian operator Eesti Mobiiltelefon AS for a total solution, including Ericsson's new Mobile Positioning System. Together with Ericsson, the operator is planning to launch a wide range of location-based services.

The first services to be offered are those that position emergency calls originated by mobile phones to '112' rescue centers. Alongside location-based emergency services, the operator will target professional users, followed by other mass-market services.

"Eesti Mobiiltelefon chose the Ericsson system, because it can position all GSM subscribers independent of phones or SIM cards, and because the system offers the highest positioning accuracy available on the market," says Peep Aaviksoo, CEO of Eesti Mobiiltelefon AS.

"This win actually constitutes a technical and commercial breakthrough for the industry. Ericsson is honored for these deliveries, especially as Eesti Mobiiltelefon have fulfilled their responsibilities to the society, using state-of-the-art technology and progressive management," says Stig Rune Johansson, General Manager, Base Station Services, Ericsson GSM Systems.

The Ericsson Mobile Positioning System (MPS) for GSM operators is built on a highly tolerant platform that is capable of using a range of different positioning methods, such as GPS (Global Positioning System), SIM, etc., to provide operators and users maximum service flexibility.

The system is especially attractive to GSM operators as they can easily reach 100% of their market and users. The services offered will be even more attractive in combination with GSM Pro (GSM Professional, private radio over cellular networks), WAP phones and speed-enhancing GPRS - making the applications more powerful.

Ericsson is the leading provider in the new telecoms world, with communications solutions that combine telecom and datacom technologies with freedom of mobility for the user. With more than 100,000 employees in 140 countries, Ericsson simplifies communications for its customers - network operators, service providers, enterprises and consumers - the world over.

FOR FURTHER INFORMATION, PLEASE CONTACT

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Ericsson's GSM positioning system

Ericsson Mobile Positioning System (MPS) for GSM operators requires no modifications to standard GSM phones or terminals. It includes servers that allow positioning services to be introduced into existing GSM networks. The system works with any standard GSM radio network and all existing GSM phones. A main function of the servers is to translate positioning coordinates.

That in addition to deployment for emergency services, fleet management, logistics and stolen vehicle tracking applications, Ericsson expects the system will be used to deliver mass-market services to any GSM subscriber. For example, "where-am-I-guidance", roadside assistance, local news, information and weather reports and 'yellow pages' services.

For more information this Ericsson positioning system, see press release at: <http://www.ericsson.com/pressroom/Archive/1998Q4/19981105-0039.html>

Company Information

Eesti Mobiiltelefon AS operates a GSM 900/1800 network and an NMT 450 network, covering 98% of Estonia. The company is fully owned by Eesti Telekom AS, which is the owner of the country's largest wireline operator, Eesti Telefon AS. Eesti Telekom AS is a publically listed company, with shares listed at the Tallinn and London Stock Exchange. Sonera and Telia each owns 24.5% in Eesti Telecom AS.

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NEWS RELEASE

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QUALCOMM CDMA Technologies Delivers World's First CDMA Multimedia Chipset and System Software Solution for Handsets

Sample Shipments of MSM3300 Solution Integrate Advanced Wireless Internet Launchpad Technologies Including Position Location, Bluetooth, MP3, MIDI and Mass Storage Device Controller

SAN DIEGO - August 16, 2000 - QUALCOMM Incorporated (Nasdaq: QCOM), pioneer and world leader of Code Division Multiple Access (CDMA) digital wireless technology, today announced the early shipment of the QUALCOMM CDMA Technologies (QCT) MSM3300™ Mobile Station Modem (MSM™) chipset samples and system software. This product represents the world's first multimedia-capable CDMA chipset and features the highest level of integration of multimedia features available for mobile phones of any standard. Also shipping is QCT's IFR3300™ chip, an intermediate frequency (IF)-to-baseband receiver, enabling complete integration of a Global Positioning System (GPS)-band radio without additional external radio frequency (RF) or IF chips. The sample shipments of the MSM3300 and IFR3300 solutions began in August 2000, enabling manufacturers to begin the design of advanced wireless handsets that offer rich multimedia applications and power-efficient position location features in very small and cost-effective form-factors.

"The MSM3300/IFR3300 solutions represent QUALCOMM's ongoing leadership in wireless technology and our commitment to help manufacturers begin immediate development of advanced multimedia handsets," said Johan Lodenius, senior vice president of marketing and product management for QUALCOMM CDMA Technologies. "With the industry's most powerful position location technologies and highly integrated multimedia capabilities, QUALCOMM's newest chipsets will drive the next generation of wireless products by providing wireless subscribers with an experience unprecedented in richness, and supplying manufacturers with increased cost savings and shorter time-to-market."

The MSM3300 device is the centerpiece of the chipset, comprised of the MSM3300 CDMA modem, the RFT3100™ analog-baseband-to-RF upconverter, the IFR3300 IF-to-baseband downconverter, RFR3100™ RF-to-IF downconverter, PA3100™ power amplifier and PM1000™ power management device.

The MSM3300 chipset and system software's higher on-chip integration incorporates QUALCOMM's Wireless Internet Launchpad™ suite of advanced technologies and software, including the gpsOne™ position-location solution featuring SnapTrack™ technology, Bluetooth connectivity capabilities, Removable User Identity Module (R-UIM) controller, and multimedia features such as Qtunes™ Moving Picture Experts Group (MPEG-1) Layer-3 (MP3) player software and Compact Media Extension (CMX™) Musical Instrument Digital Interface

(MIDI)-based multimedia software.

QUALCOMM's breakthrough gpsOne position location technology merges GPS satellite and network information with highly sophisticated SnapTrack wireless location technology to provide a high-availability solution that offers industry-leading accuracy and performance. Using enhanced signal processing to overcome the limitations of other GPS systems, especially in urban canyon and indoor environments, the gpsOne solution exceeds the Federal Communications Commission's mandate requiring wireless operators to provide the location of cellular 9-1-1 calls (E-911) to emergency call centers. With its highly integrated implementation, the gpsOne solution is the most cost-effective wireless position location technology available in a mobile handset for CDMA cellular and Personal Communications Service (PCS) networks. The MSM3300 chipset also enables a broad range of personal location software and services, including personalized navigation information, area-specific weather forecasts, traffic reports and commercial tracking services, as well as a broad range of e-commerce and entertainment applications, including mobile yellow pages, zone-based advertising and community information, and localized chat and bulletin boards. The MSM3300 solution fully supports the IS-801 location standard and the SnapTrack SmartServer™ Position Determination Entity (PDE) system.

Bluetooth digital baseband processing is also integrated into the MSM3300 chipset and system software solution. Bluetooth, a short-range radio technology that eliminates the need for wired connections between digital devices, is becoming an industry standard to ensure that various computing and telecommunications equipment can connect easily. In addition to untethering devices by replacing cables, Bluetooth provides a universal bridge to existing data networks and peripherals. Bluetooth is a mechanism to form small, private ad hoc groupings of connected devices away from fixed network infrastructures.

The MSM3300 solution supports optional software from QUALCOMM, enabling advanced audio features such as Qtunes MP3 player software and CMX MIDI-based multimedia software. MP3 is a standard audio file format for compressing a sound sequence into about one-twelfth the size of the original file with very little loss in sound quality. These enhancements will support a wide variety of future wireless music applications, including Karaoke phones, MP3 player phones and more.

The MSM3300 solution integrates a SIM controller that enables a direct interface with SIM cards, providing CDMA handset manufacturers with a comprehensive solution that will allow a subscriber's identity to be stored in a single, removable card. This capability will make global roaming possible across CDMA or Global System for Mobile Communications (GSM) networks and to countries using different frequencies by allowing users to exchange handsets while using the same identity card.

In addition, the MSM3300 solution integrates a mass storage device controller, such as an MMC (Multimedia Card) interface, which will provide an effective interconnection to much larger memory space to store CD-quality music data or mapping data from a geographical navigation service.

Pin-compatible with the MSM3100, the MSM3300 is available in the same 208-ball Fine-Pitch Ball Grid Array (FBGA) production package. QUALCOMM's MSM3300 chip interfaces directly with the IFR3300, RFR3100, RFT3100 and PA3100 chips, and the PM1000 power management chip.

Along with the MSM3300 chipset, QCT is shipping the IFR3300 chip. The IFR3300 chip is an IF-to-baseband receiver that offers all of the functions of the previous IFR3000, but adds low-pass filtering tailored for gpsOne capability. The IFR3300 is pin-for-pin compatible with the IFR3000.

As with the IFR3000 chip, the IFR3300 solution includes RX power control through a 90 dB dynamic range ACG amplifier, IF mixer for downconverting IF to analog baseband, and analog-to-digital converters (ADCs) for converting CDMA, FM and GPS baseband signals to digital baseband. The IFR3300 chip operates down to 2.7V and is offered in a 48BCC+ (bump chip carrier) package that enables smaller handsets.

Production quantities of the MSM3300 and the IFR3300 solutions are expected to be available in the fourth calendar quarter of 2000.

QUALCOMM CDMA Technologies is the leading developer and supplier of CDMA chipsets, hardware and software solutions, and tools, with more than 115 million MSM chips shipped worldwide. QCT offers wireless position location technology by SnapTrack, a wholly owned subsidiary of QUALCOMM. QCT supplies chipsets to the world's leading CDMA handset and infrastructure manufacturers including: Acer Peripherals, Inc., ALPS ELECTRIC CO., LTD.; CASIO COMPUTER CO., LTD.; FUJITSU LIMITED; Hitachi, Ltd.; Hyundai Electronics Industries Co., Ltd.; KYOCERA CORPORATION; LG Information and Communications, Ltd.; Samsung Electronics Ltd.; SANYO Electric Co., Ltd.; and Toshiba Corporation, among others.

QUALCOMM Incorporated (www.qualcomm.com) is a leader in developing and delivering innovative digital wireless communications products and services based on the Company's CDMA digital technology. The Company's business areas include integrated CDMA chipsets and system software; technology licensing; Eudora® email software for Windows® and Macintosh® computing platforms; satellite-based systems including portions of the Globalstar™ system and wireless fleet management systems, OmniTRACS® and OmniExpress™. QUALCOMM owns patents which are essential to all of the CDMA wireless telecommunications standards that have been adopted or proposed for adoption by standards-setting bodies worldwide. QUALCOMM has licensed its essential CDMA patent portfolio to more than 80 telecommunications equipment manufacturers worldwide. Headquartered in San Diego, Calif., QUALCOMM is included in the S&P 500 Index and is a 2000 FORTUNE 500® company traded on The Nasdaq Stock Market® under the ticker symbol QCOM.

Except for the historical information contained herein, this news release contains forward-looking statements that are subject to risks and uncertainties, including the Company's ability to successfully design and have manufactured significant quantities of CDMA components on a timely and profitable basis, the extent and speed to which CDMA is deployed, change in economic conditions of the various markets the Company serves, as well as the other risks detailed from time to time in the Company's SEC reports, including the report on Form 10-K for the year ended September 26, 1999, and most recent Form 10-Q.

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IDO, Cellular Phone Group to Start Location Information Service

June 27, 2000 (TOKYO) -- IDO Corp. and the companies that belong to DDI Corp.'s Cellular Group will launch a new service in July that will provide real-time positioning data to users via their cdmaOne mobile phone handsets.

The service will be the first of its kind to be launched that operates with just users' phone handsets and without the need for any extra equipment. The new service should allow companies that provide content for "EZweb" -- a service that DDI group's cell phone subscribers can use to access the Internet -- to start offering users maps that show their current location and details about stores in the vicinity.

The way the IDO-Cellular Group positioning service works is by using data from the telephone network's base stations to gain an approximate idea of where a particular phone handset is. In effect, the handset is assumed to be in the same location as the base station it is currently nearest to (i.e. the one it is receiving/sending radio signals from/to at the time). Because of this, the accuracy of the service will vary depending on the area a user is in. In downtown areas where there are likely to be more base stations around, it should be accurate to within a few hundred meters.

However, owners of phone handsets that until now have been marketed separately under either the IDO or Cellular brand names will not be able to receive the new positioning service. Even though the two brands have been offering ostensibly identical phone units, some of the chips inside them are different. Also, new cdmaOne phones sporting a function called "gpsOne" are being planned for launch onto the market next spring. These units will be capable of receiving global positioning system (GPS) data from satellites, and their superior accuracy will allow for much more precise positioning services to be offered.

Up to now, most of the mobile phone positioning services that have already been launched are for users of personal handyphone system (PHS) units, which typically operate with a cell radius in the 100 meter to 500 meter range. NTT DoCoMo Inc., DDI Pocket Inc., and Astel Corp., each offer their original positioning service.

In January 2000 NTT DoCoMo launched its "DoCo-Navi" service, offering GPS positioning data for subscribers that use their mobile phone in conjunction with a personal digital assistant (PDA) equipped with a GPS receiver.

Related story: NTT DoCoMo to Launch Nationwide GPS Service for Cell Phones
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